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Brent O. Hatch (5715)  
Mark R. Clements (7172)  
HATCH & JAMES  
10 West Broadway, Suite 400  
Salt Lake City, Utah 84101  
Telephone: (801) 363-6363  
Facsimile: (801) 363-6666

Attorneys for Defendants

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DISTRICT OF UTAH

BY: DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT DISTRICT OF UTAH

CENTRAL DIVISION

MK GOLD COMPANY,

Plaintiff,

v.

MORRISON KNUDSEN CORPORATION,  
a Delaware corporation,

Defendant.

**ORDER**

LEUCADIA NATIONAL CORPORATION,  
a New York corporation,

Plaintiff,

v.

MORRISON KNUDSEN CORPORATION,  
a Delaware corporation, ROBERT A.  
TINSTMAN, an individual, STEPHEN G.  
HANKS, an individual, and JOHN DOES  
1-10, individuals,

Defendants.

Civil No. 2:96CV 0935ST

Civil No. 2:98CV 0327ST

Judge Ted Stewart

Magistrate Judge Ronald N. Boyce

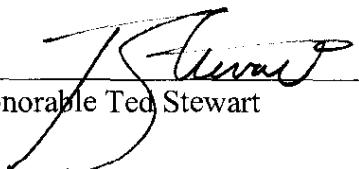
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Based upon the Stipulation and Joint Motion of the parties and good cause appearing therefore, it is hereby ORDERED as follows:

1. Morrison Knudsen Corporation ("MKC") is granted to leave to file its proposed Amended Counterclaim in the case captioned MK Gold Company v. Morrison Knudsen Corporation, Case No. 2:96CV 0935ST;
2. The parties are granted leave through January 31, 2000 to conduct discovery solely on the issue of the Apex San Cristobal Project; and
3. The parties are granted leave through February 15, 2000 to file dispositive motions limited solely to the Second Cause of Action in MKC's Amended Counterclaim.

DATED this 9<sup>th</sup> day of November, 2000.

BY THE COURT



\_\_\_\_\_  
Honorable Ted Stewart

APPROVED AS TO FORM:

VAN COTT, BAGLEY, CORNWALL & McCARTHY



\_\_\_\_\_  
David A Greenwood  
Stephen K. Christiansen  
Counsel for MK Gold Company

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United States District Court  
for the  
District of Utah  
November 13, 2000

\* \* CERTIFICATE OF SERVICE OF CLERK \* \*

Re: 2:96-cv-00935

True and correct copies of the attached were either mailed or faxed by the clerk to the following:

James S. Jardine, Esq.  
RAY QUINNEY & NEBEKER  
79 S MAIN ST  
PO BOX 45385  
SALT LAKE CITY, UT 84145-0385  
JFAX 9,5327543

Mr. David A Greenwood, Esq.  
VAN COTT BAGLEY CORNWALL & MCCARTHY  
50 S MAIN STE 1600  
PO BOX 45340  
SALT LAKE CITY, UT 84145  
JFAX 9,5340058

Brent O. Hatch, Esq.  
HATCH & JAMES  
10 W BROADWAY STE 400  
SALT LAKE CITY, UT 84101  
JFAX 9,3636666

Mr. Alan L Sullivan, Esq.  
SNELL & WILMER LLP  
15 W SOUTH TEMPLE STE 1200  
GATEWAY TOWER W  
SALT LAKE CITY, UT 84101  
JFAX 9,2571800

Richard D. Parry, Esq.  
720 PARK BLVD  
PO BOX 73  
BOISE, ID 83729  
JFAX 8,208,3865220

Mr. David L Arrington, Esq.  
DURHAM JONES & PINEGAR  
111 E BROADWAY STE 900  
SALT LAKE CITY, UT 84111  
JFAX 9,4153500